

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

<b>Keith D. Jones,</b>	)	<b>CASE NO. 1:19 CV 1722</b>
	)	
<b>Plaintiff,</b>	)	<b>JUDGE DONALD C. NUGENT</b>
	)	
<b>v.</b>	)	
	)	
<b>Rite Aid Corp., et al.,</b>	)	<b><u>MEMORANDUM OPINION</u></b>
	)	<b><u>AND ORDER</u></b>
<b>Defendants.</b>	)	
	)	

*Pro se* plaintiff Keith D. Jones has filed a complaint in this matter against Rite Aid Corp. and Lucky's Market LLC (Doc. No. 1) along with a motion to proceed *in forma pauperis* (Doc. No. 2). Although the civil cover sheet the plaintiff has submitted with his complaint indicates he seeks to assert a discrimination claim under Title VII of the Civil Rights Act, 42 U.S.C. § 2000, his complaint sets forth no allegations whatsoever.

Federal district court are required to dismiss before service any *in forma pauperis* complaint filed in federal court that the court determines is frivolous or malicious, fails to state a claim upon which relief may be granted, or seeks monetary relief from a defendant who is immune from such relief. 28 U.S.C. § 1915(e)(2)(B). Although the standard of review for *pro se* pleadings is liberal, *Pilgrim v. Littlefield*, 92 F.3d 413, 416 (6<sup>th</sup> Cir. 1996), to survive a dismissal for failure to state a


claim under § 1915(e), a *pro se* complaint must set forth sufficient factual matter, accepted as true, to state claim to relief that is plausible on its face. *Hill v. Lappin*, 630 F.3d 468, 471 (6th Cir. 2010).

The plaintiff's complaint does not contain allegations plausibly suggesting he has a valid federal civil claim against the defendants under Title VII or otherwise. *See Lillard v. Shelby Cty. Bd. of Educ.*, 76 F.3d 716 (6th Cir. 1996) (court is not required to accept summary allegations or unwarranted legal conclusions in determining whether a complaint states a claim for relief).

Accordingly, the plaintiff's motion to proceed *in forma pauperis* (Doc. No. 2) is granted, and his complaint is hereby dismissed pursuant to 28 U.S.C. § 1915(e)(2)(B). The Court further certifies, pursuant to 28 U.S.C. § 1915(a)(3), that an appeal from this decision could not be taken in good faith.

IT IS SO ORDERED.

Dated: August 9, 2019

  
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DONALD C. NUGENT  
UNITED STATES DISTRICT JUDGE